

RESOLUTION NO 20071011-013

WHEREAS, the City Council of the City of Austin has found that public necessity requires the City of Austin to acquire a certain real property interest for public purposes as set out below, and

WHEREAS, the City of Austin has attempted to purchase the needed real property interest but has been unable to agree with the owner on the fair market value thereof, **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

That the City Attorney, or other authorized designee, is hereby authorized and directed to file, or cause to be filed, a suit in eminent domain on behalf of the City of Austin against the owner now having, or who may acquire, an interest in the real property interest needed by the City, described and located below, for the public purposes set out below, and to take whatever other action may be deemed appropriate to economically effect the needed acquisition

The City Attorney, or other authorized designee, shall file eminent domain proceedings for

Owner CWS Riverside 300, L P

Project Blunn Creek Wastewater Improvement Project, a portion of
the Austin Clean Water Program

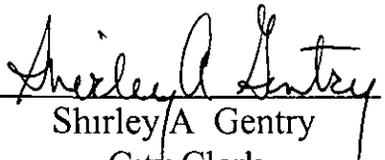
Intended Purpose the permanent wastewater line easement described in the attached Exhibit "A" is necessary to install, operate, maintain, repair, replace, and upgrade permanent wastewater lines and appurtenances thereto, in order to increase and improve the City's ability to provide sanitary sewer services to the public, to prevent leakage from wastewater lines to protect public health and safety, and to comply with a federal mandate

Location 300 East Riverside Drive, Austin, Texas

Property Described in the attached and incorporated Exhibit A

ADOPTED October 11, 2007

ATTEST


Shirley A Gentry
City Clerk

CWS RIVERSIDE 300 L P
To
City of Austin
(for Wastewater Easement)

Parcel 5126 04 WE

BEING 0 013 OF ONE ACRE (554 S F) OF LAND MORE OR LESS OUT OF AND A PART OF THE ISAAC DECKER LEAGUE IN TRAVIS COUNTY TEXAS SAME BEING A PORTION OF THE TRACT CONVEYED TO CWS RIVERSIDE 300 L P , BY SPECIAL WARRANTY DEED EXECUTED ON OCTOBER 17 2006 FILED FOR RECORD ON OCTOBER 20 2006 RECORDED IN DOCUMENT 2006204578 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS SAID 0 013 OF ONE ACRE (554 S F) OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH

BEGINNING at a calculated point in the northeast right-of-way line of East Riverside Drive (ROW varies) same being in a southwesterly line of said CWS Riverside 300 L P tract same also being North 26 27 19 West a distance of 77 42 feet from an X cut in the top of curb for the Point of Beginning and the most southerly corner of the herein described tract of land having Texas State Plane Coordinate (Texas Central Zone NAD 83(93) HARN, U S feet, Combined Scale Factor 0 99994) values of N=10065760 07 E=3113991 94

1) THENCE North 26°27'19" West a distance of 32 00 feet with the northeast right-of-way line of East Riverside Drive and a southwesterly line of said CWS Riverside 300 L P tract to a calculated point for the most westerly corner of the herein described tract of land from which a 1/2 inch iron rod found at the most westerly corner of said CWS Riverside 300, L P tract bears North 26 27 19 West a distance of 33 43 feet

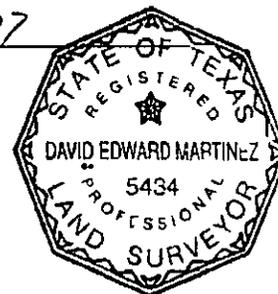
2) THENCE North 62 35 41 East a distance of 17 05 feet leaving the northeast right-of-way line of East Riverside Drive and a southwesterly line of said CWS Riverside 300 L P tract and crossing said CWS Riverside 300 L P tract to a calculated point for the most northerly corner of the herein described tract of land

3) THENCE South 27 24'19" East a distance of 32 00 feet to a calculated point for the most easterly corner of the herein described tract of land

4) THENCE South 62 35 41 West a distance of 17 58 feet to the Point of Beginning and containing an area of 0 013 of one acre (554 S F) of land more or less


David Edward Martinez
Registered Professional Land Surveyor 5434

03-09-07
Date



Martinez Wright & Mendez Inc
Chevy Chase One
7700 Chevy Chase Drive Suite 100
Austin Texas 78752
(512) 453-0767

Bearing Basis

The coordinates and bearings shown are based on Texas State Plane Central Zone NAD 83(93)HARN grid datum having a combined scale factor of 0 99994 The coordinates were established from the City of Austin reference monument CB08 having grid coordinate values of N=100665600 89 E=3114070 43 and LSI 1 having grid coordinate values of N=10060075 23 E=3113344 46
0201011100
J21

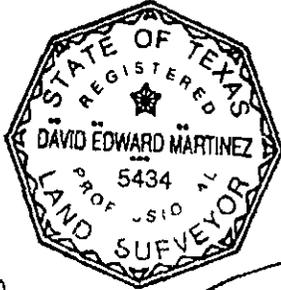
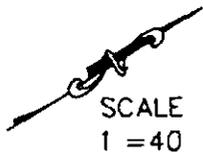
TCAD No
CITY GRID No

FIELD NOTES REVIEWED

By  Date 3-23-07

Exhibit "A"
Page 1 of 2

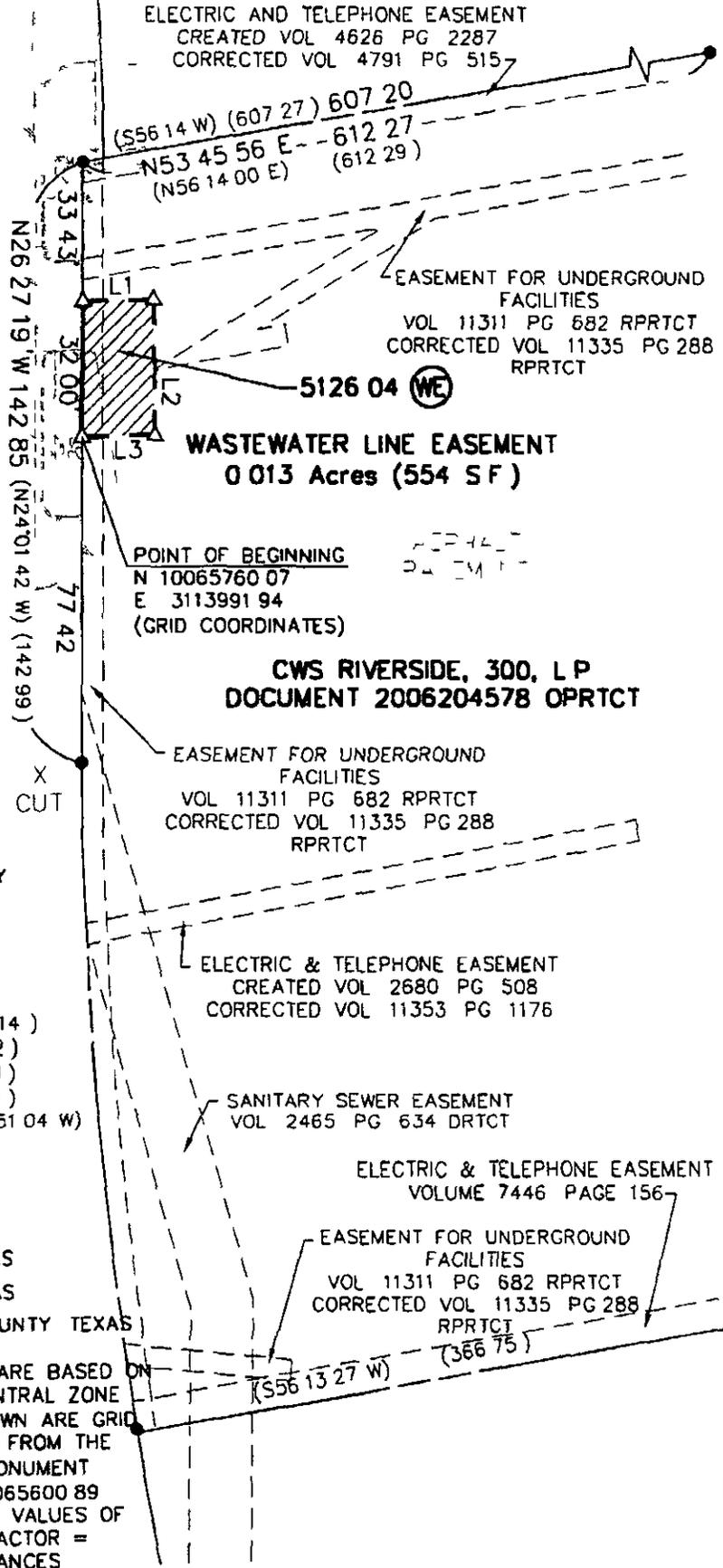
Austin Clean Water Program
Survey Coordinator



David E. Martinez
03-09-07

ISAAC DECKER
LEAGUE

EAST RIVERSIDE DRIVE
(ROW VARIES)



LINE	BEARING	DISTANCE
L1	N62 35 41 E	17 05
L2	S27 24 19 E	32 00
L3	S62 35 41 W	17 58

TITLE REPORT REFERENCE
COMMONWEALTH LAND TITLE INSURANCE COMPANY
LANDAMERICA AUSTIN TITLE COMPANY
1717 WEST 6TH STREET SUITE 100
AUSTIN TEXAS 78703
(512) 481-9560
GF No 2519002403

LEGEND

- △ CALCULATED POINT
- 1/2 IRON PIN FOUND (UNLESS NOTED)
- () INDICATES RECORD DATA
- ▨ AREA OF EASEMENT
- PRCT PLAT RECORDS OF TRAVIS COUNTY TEXAS
- DRCT DEED RECORDS OF TRAVIS COUNTY TEXAS
- OPRTCT OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS

Δ=(9 22 14)
R=(981 32)
L=(160 49)
C=(160 31)
CB=(N28 51 04 W)

BEARING BASIS THE COODINATES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM CENTRAL ZONE NAD 83(93)HARN GRID DATUM THE BEARINGS SHOWN ARE GRID BEARINGS THESE COORDINATES WERE ESTABLISHED FROM THE REFERENCE POINTS CITY OF AUSTIN REFERENCE MONUMENT CB08 HAVING GRID COORDINATE VALUES OF N=10065600 89 E=3114070 43 AND LSI 1 HAVING GRID COORDINATE VALUES OF N=10060075 23 E=3113344 46 COMBINED SCALE FACTOR = 0 99994 ALL DISTANCE SHOWN ARE SURFACE DISTANCES



CHEVY CHASE ONE
7700 Chevy Chase D
Sut 100 & 11 Term 78752
(512) 512

**SKETCH TO ACCOMPANY
FIELD NOTES**

TRAVIS COUNTY TEXAS

DATE 09 MAR 2007
JOB NO 4300 B12
FILE 5126 04 WE